

UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

In re: ) Case No. 3-23-11768  
)  
TODD M. LEKAN, ) Chapter 7  
)  
Debtor. ) Chief Judge Catherine J. Furay

**NOTICE OF THIRD MOTION TO EXTEND TIME TO FILE A MOTION TO  
DISMISS OR A COMPLAINT OBJECTING TO THE DEBTOR'S DISCHARGE**

The United States Trustee has filed a motion for a third extension of time for he and the chapter 7 trustee to file a motion to dismiss pursuant to 11 U.S.C. § 707(b)(3) or a complaint objecting to the debtor's discharge pursuant to 11 U.S.C. § 727 in this case. A copy of the motion is attached.

Your rights may be affected. You should read the motion papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to enter an order granting the relief requested, or if you want the court to consider your views on the motion, then on or before fourteen (14) days from the date of this notice, you or your attorney must file with the court a written objection and request for hearing, explaining your position. The address for the court is: U.S. Bankruptcy Court for the Western District of Wisconsin, 120 North Henry Street, Room 340, Madison, WI 53703-2559. If you mail your objection to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above. You must also mail a copy of your objection to the U.S. Trustee, at the address below.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Dated: April 29, 2024

Respectfully submitted,

PATRICK S. LAYNG  
United States Trustee

Office of the United States Trustee  
780 Regent Street, Suite 304  
Madison, Wisconsin 53715  
(608) 264-5522, extension 5646  
Brian.P.Thill@usdoj.gov

By: /s/ Brian P. Thill  
BRIAN P. THILL  
Attorney for the United States Trustee

UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

In re:	)	Case No. 3-23-11768
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TODD M. LEKAN,	)	Chapter 7
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**THIRD MOTION TO EXTEND TIME TO FILE A MOTION TO DISMISS  
OR A COMPLAINT OBJECTING TO THE DEBTOR'S DISCHARGE**

The United States Trustee for the Western District Wisconsin, Patrick S. Layng, pursuant to Fed. R. Bankr. P. 1017(e) and 4004(b), respectfully moves the Court for a third order extending the time for him and the chapter 7 trustee for filing a motion to dismiss pursuant to 11 U.S.C. § 707(b)(3) or a complaint objecting to the debtor's discharge pursuant to 11 U.S.C. § 727. In support of this motion, the United States Trustee states as follows:

1. There have been two previous extensions of time in this case for the United States Trustee to file a motion to dismiss under 707(b)(3) or complaint objecting to the Debtor's discharge under 727—the first was stipulated to by the Debtor, and the second was not. (*See* Dkt. 30; Dkt. 38.).

2. Three days ago on April 26, 2024, the Debtor filed a motion to voluntarily convert this case to chapter 11. (Dkt. 39.)

3. The Debtor's motion to convert was served on the entire creditor matrix on 21 days' notice. (*See id.*)

4. To the extent the Debtor's motion to convert to chapter 11 may be granted, the relief potentially sought by the United States Trustee in the debtor's chapter 7 case will become moot.

5. The United States Trustee files this motion to extend time to the extent the Debtor's motion to convert to chapter 11 is not granted.

6. The United States Trustee therefore respectfully requests a third extension of time, through May 29, 2024, to file a motion to dismiss pursuant to 11 U.S.C. § 707(b)(3) or a complaint

objecting to the Debtor's discharge pursuant to 11 U.S.C. § 727.

For the reasons set forth above, the United States Trustee respectfully requests entry of a third order extending the time to file a complaint objecting to the Debtor's discharge pursuant to 11 U.S.C. § 727 or a motion to dismiss this case pursuant to 11 U.S.C. § 707 to and including May 29, 2024, and granting any other relief the Court deems fair or appropriate.

Dated: April 29, 2024

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780 Regent Street, Suite 304  
Madison, Wisconsin 53715  
(608) 264-5522, extension 5646  
Brian.P.Thill@usdoj.gov

Respectfully submitted,

PATRICK S. LAYNG  
United States Trustee

By: /s/ Brian P. Thill  
BRIAN P. THILL  
Attorney for the United States Trustee

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on April 29, 2024, a copy of the United States Trustee's Notice of Motion and Third Motion to Extend Time to File a Motion to Dismiss or an Objection to Debtor's Discharge were served via CM/ECF on Trustee Nicole I. Pellerin and Attorney Noe Rincon.

/s/ James C. Dreier, Jr.  
James C. Dreier, Jr.  
Paralegal Specialist

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